

Application No. 10/031,399
Docket No. CL-9622
(KUS.002)

15

REMARKS

Entry of this Amendment is proper because it does not raise any new issues requiring further search by the Examiner, narrows the issues on appeal, and places the present application in condition for immediate allowance.

ALLOWABLE SUBJECT MATTER

Claims **allowed** claims 4-7, 10-17, and 20 and **allowable** claims 23-26, 28, and 34 are all the claims presently pending in the application.

Claims 1-3, 8, 9, 18, 19, 22, 27, 29-33, and 35-37 have been canceled without prejudice or disclaimer to the filing of a divisional application directed to the subject matter of these claims. (Also, claim 21 was canceled without prejudice or disclaimer by the Amendment filed on February 11, 2005.)

Applicant gratefully acknowledges that **claims 4-7, 10-17, and 20 are allowed** and that **claims 23-26, 28, and 34 also would be allowable** if rewritten in independent form, as set forth in the Advisory Action mailed March 3, 2005.

Allowable claims 23, 28, and 34 have been amended merely to rewrite these claims in independent form. Therefore, allowable claims 23-26, 28, and 34 should now be allowed.

Thus, Applicant submits that all of the pending claims (i.e., allowed claims 4-7, 10-17, and 20 and allowable claims 23-26, 28, and 34) should be allowed.

It is noted that the claim amendments are made only for more particularly pointing out the invention, and not for distinguishing the invention over the prior art, narrowing the claims or for any statutory requirements of patentability. Further, Applicant specifically states that no amendment to any claim herein should be construed as a

Application No. 10/031,399
Docket No. CL-9622
(KUS.002)

16

disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

THE PRIOR ART REJECTION

Claims 1-3, 8, 9, 18, 19, 21, 22, 27, 29-33, and 35-37 stand rejected on prior art grounds under 35 U.S.C. § 102(e) as being anticipated by Sakurai, et al. (U.S. Patent No. 6,345,030).

Applicant submits that this rejection has been rendered moot by the cancellation of the rejected claims above.

CONCLUSION

Applicant respectfully reiterates the request that the Examiner accept and approve the formal replacement drawings filed on September 3, 2004.

In view of the foregoing, Applicant submits that all of the pending claims (i.e., allowed claims 4-7, 10-17, and 20 and allowable claims 23-26, 28, and 34) in the present application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

Application No. 10/031,399
Docket No. CL-9622
(KUS.002)

17

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully submitted,

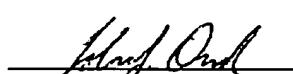
Date: MARCH 15, 2005


John J. Dresch, Esq.
Registration No. 46,672
Sean M. McGinn, Esq.
Registration No. 34,386

McGinn & Gibb, PLLC
8321 Old Courthouse Road, Suite 200
Vienna, VA 22182-3817
(703) 761-4100
Customer No. 21254

CERTIFICATE OF TRANSMISSION

I certify that I transmitted via facsimile to (703) 872-9306 the enclosed Second Amendment under 37 C.F.R. § 1.116 to Examiner Tianjie Chen on March 15, 2005.


John J. Dresch, Esq.
Registration No. 46,672
Sean M. McGinn, Esq.
Registration No. 34,386